

NOT FOR CITATION

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

ABSTRAX, INC.,

No. CV 09-5243 PJH (NJV)

Plaintiff,

**ORDER REQUIRING PARTIES TO
MEET AND CONFER RE: PENDING
DISCOVERY DISPUTES**

v.

SUN MICROSYSTEMS, INC.,

(Docket Nos. 216, 218)

Defendant.

The district court has referred the parties' discovery motions and all future discovery matters to this Court for determination. Doc. No. 215. The following motions are pending: Defendant Sun Microsystems, Inc.'s motion for a protective order; Plaintiff Abstrax, Inc.'s motion for case-dispositive sanctions and, alternatively, for further discovery and evidentiary sanctions; and Plaintiff's motions to seal portions of its sanctions motion and portions of its opposition to Defendant's protective order motion. Doc. Nos. 216, 218, 220, 228. Briefing is now complete on Defendant's motion for a protective order and Plaintiff's motion for case-dispositive sanctions.

The Court ORDERS lead counsel for all parties to engage in an in-person meet and confer regarding the pending discovery disputes and motion for sanctions by close of business June 14, 2011. Counsel shall engage in a meaningful meet and confer regarding the pending discovery disputes and motion for sanctions. The Court further instructs the parties to discuss whether agreement can be reached regarding any of the items listed for additional discovery in Plaintiff's proposed alternative order filed with its motion for case-dispositive sanctions. *See* Doc. No. 218-2.

1 Given counsel's location in Texas, California, and Washington, D.C., lead counsel may
2 participate in the meet and confer by telephone. After the in-person meet and confer, the parties
3 shall file a single joint letter to the Court informing the Court of the status of the in-person meet and
4 confer. If the parties are unable to resolve their disputes after the in-person meet and confer, counsel
5 shall submit a single joint letter to the Court succinctly setting forth the parties' positions on each
6 disputed issue. The joint letter must be filed by close of business June 16, 2011 and is limited to
7 five (5) pages total.

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9 **IT IS SO ORDERED.**

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12 Dated: June 8, 2011



NANDOR J. VADAS
United States Magistrate Judge